



[10537/276]

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are original, first and joint inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled **TOOL FOR TREATING METALLIC COMPONENTS WITH A SYSTEM FOR MONITORING THE OPERABILITY, AND METHOD OF MONITORING THE OPERABILITY OF A TOOL**, the specification of which was filed with the United States Patent and Trademark Office on November 26, 2003, Serial No. 1/722,932.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

<u>102 55 442.0</u>	<u>Fed. Rep. of Germany</u>	<u>28 November 2002</u>	<u>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></u>
(Number)	(Country)	(Day/month/year filed)	Priority Claimed Under 35 USC 119

And we hereby appoint Richard L. Mayer (Registration No. 22,490), Gerard A. Messina (Registration No. 35,952) and Clifford A. Ulrich (Registration No. 42,194) our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

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Direct all telephone calls to Richard L. Mayer at (212) 425-7200.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: **Dieter HORSTMANN**

Inventor's Signature:

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Date:

01/26/2004

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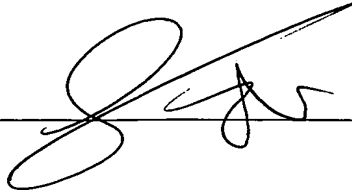
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Inventor: **Guido SOELL**

Inventor's Signature: _____

A handwritten signature in black ink, appearing to be 'G. Soell', written over a horizontal line.

Date: _____

01 / 26 / 2004

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